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13 Attorneys for Defendant and Counterclaimant
14 PHILIPS LUMILEDS LIGHTING COMPANY, LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17 EPISTAR CORPORATION,
18
19 Plaintiff,

20 v.

21 PHILIPS LUMILEDS LIGHTING
COMPANY, LLC,

22 Defendant.

23
24 AND RELATED COUNTERCLAIMS

Case No. C 07-5194 CW

**DECLARATION OF ANDREW J. WU IN
SUPPORT OF PHILIPS LUMILEDS
LIGHTING COMPANY, LLC'S NOTICE
OF MOTION AND MOTION TO
CONTINUE THE INITIAL CASE
MANAGEMENT CONFERENCE**

1 I, Andrew J. Wu, hereby declare as follows:

2 1. I am an attorney duly licensed and admitted to practice before this Court and a
3 partner in the law firm of Morgan, Lewis & Bockius LLP. I am one of the attorneys for
4 defendant and counterclaimant Philips Lumileds Lighting Company, LLC ("Lumileds"), in the
5 present action. I have personal knowledge of the facts stated herein, and if called and sworn as a
6 witness, I could testify competently thereto. I make this declaration in support of Lumileds'
7 motion continue the initial case management conference recently set in this matter.

8 2. Attached hereto as Exhibit A is a true and correct copy of an e-mail I sent to
9 Epistar Corporation's counsel Mr. Steve Hemminger on January 9, 2008, requesting that Epistar
10 agree to continue the initial case management conference until the Court rules on Lumileds'
11 anticipated motion to stay the proceedings.

12 3. Attached hereto as Exhibit B is a true and correct copy of an e-mail Mr. Steve
13 Hemminger sent to me dated January 11, 2008, stating that at this time Epistar sees no reason or
14 basis to continue the CMC.

15 I declare under the penalty of perjury under the laws of California and the United States
16 that the foregoing is true and correct. Executed this 18th day of January, 2008 in Palo Alto,
17 California.

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Andrew J. Wu